

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION NO : 24524 of 2004**

Between:

T.Nagamani, W/o late T.Satyanarayana,  
Padmanabhapuram Colony, Kasibugga, Srikakulam District.

**..... PETITIONER**

AND

- 1 The Principal Secretary, Department of Higher Education.
- 2 The Director of Collegiate Education, Nampally, Hyderabad.
- 3 The President & Correspondent, Bala Shiva Yogendra Maharaja,  
Government Degree College, Kasibugga, Srikakulam District.
- 4 The Principal, Bala Shiva Yogendra Maharaja, Government  
Degree College, Kasibugga, Srikakulam District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not considering the case of the petitioner for appointment in service on compassionate grounds as arbitrary, illegal, unreasonable, irrational, discriminatory and without jurisdiction and violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to consider the case of the petitioner for appointment in service on compassionate grounds in the 3rd respondent college.

**Counsel for the Petitioner:MS. HEMA JAISWAL**

**Counsel for the Respondent Nos.1 and 2: GP FOR HIGHER EDUCATION**

**Counsel for the Respondent Nos.3 and 4:**

**The Court at the admission stage made the following Order:**

This writ petition is filed by the petitioner questioning the action of the respondents in not considering the case of the petitioner for appointment on compassionate grounds in the third respondent College, as illegal and arbitrary.

The husband of the petitioner, who was working as Aided Junior Assistant in the third respondent College, died in harness on 24.11.2000. The petitioner made representations on 19.02.2004 and 29.09.2004 to the second respondent seeking appointment on compassionate grounds. Since the respondents have not disposed of the representations made by the petitioner, the petitioner has come up with the present writ petition.

Heard the learned counsel for the petitioner and the Government Pleader for Higher Education.

The fact that the husband of the petitioner died on 24.11.2000 while working in the third respondent College as aided Junior Assistant is not in dispute. Whether the petitioner is eligible to any post on compassionate grounds or not is required to be gone into by the respondents. Therefore, without going into merits of the case, I deem it appropriate to dispose of the writ petition directing the respondents to consider the representations dated 19.02.2004 and 29.09.2004 made by the petitioner and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of at the stage of admission. No order as to costs.

22.11.2004

usd



To

- 1 The Principal Secretary, Department of Higher Education.
- 2 The Director of Collegiate Education, Nampally, Hyderabad.
- 3 The President & Correspondent, Bala Shiva Yogendra Maharaja, Government Degree College, Kasibugga, Srikakulam District.
- 4 The Principal, Bala Shiva Yogendra Maharaja, Government Degree College, Kasibugga, Srikakulam District.
- 5 Two CCs to G.P. for Higher Education, A.P.High Court Buildings,  
Hyderabad.
6. Two CD copies.